

Legal Notice
Truro Planning Board

The Truro Planning Board will hold a public hearing at the Truro Town Hall, 24 Town Hall Road, Truro on **March 10, 2015 at 6:00 pm** to discuss proposed amendments to the town's zoning bylaws. The subject matter of the proposed amendments is indicated below. The complete text relative to the proposed amendments is available for inspection on the Town Website www.truro-ma.gov and at the Truro Town Hall during regular business hours.

Article ___: To see if the Town will vote to amend the Truro Zoning Bylaw Section 10.4 by deleting the definition of "Street" and replacing it with a new "Street" definition and further, to amend Section 30 Use Regulations by adding a new Section 30.11 Streets and Frontage, to include: Purpose, Applicability, and Planning Board Determination.

Article ___: To see if the Town will vote to amend the Truro Zoning Bylaw by adding a new Definition of "Dwelling, Multi-Family" in Section 10.4; to Section 30.2 by adding "Multi-family Dwelling" in the Use Table under Residential Uses and by adding a new NOTES 13; and to add a new Section 40.3A, Conversion of Cottage or Cabin Colony, Motor Court, Motel or Hotel for Year Round Use, to include: Purpose and Requirements.

Leo A. Childs, III, Chair
2/20/15, 2/27/15

Below please find the full text of the proposed articles

ARTICLE ___: To see if the Town will vote to amend the Truro Zoning Bylaw Section 10.4 by deleting the definition of "Street" and replacing it with the following:

Street. A private or public way by which vehicles and pedestrians can safely gain access to and egress from homes, places of business and other locations. For the purposes of this bylaw, the terms "street", "road" and "way" bear the same meaning.

And further, to amend Section 30 Use Regulations by adding a new Section 30.11 Streets and Frontage as follows:

Section 30.11 Streets and Frontage

- A. Purpose: It is the intent of this section to provide the minimum requirements for streets in Truro in order to qualify as safe and adequate for the purposes of obtaining a building permit from the Building Commissioner on an existing private road.
- B. Applicability: A Street is assumed to qualify as safe and adequate and can be developed by right provided the following is met:
 - 1. a public way which the Town Clerk certifies is maintained and used as a public way; or,
 - 2. a way that has been approved, endorsed and constructed in accordance with the subdivision control law; or

3. a way that was in existence on December 8, 1955 and meets the following minimum criteria:

Number of lots on Road	1 - 5	6 – 10	11 – 20	21 or more
Minimum Roadway Width	8 feet, plus 3 feet clearance on both sides	14 feet	16 feet	18 feet
Maximum Allowable Grade	12 %	10 %	8 %	8 %

For ways which do not meet these minimum requirements, the Planning Board, in conformance with subparagraph C, shall make a determination as to whether said road provides safe and adequate access.

- C. The Planning Board shall make a determination of the adequacy of a street as outlined below:
 1. Public Hearing – Upon the filing of a request with the Planning Board, the Board shall hold a duly noticed public hearing within forty-five (45) days. Notice shall be made no less than fourteen (14) days prior to the scheduled public hearing via regular first class mail to all the owners of properties along said street.
 2. The request can be for a determination of the entire length of street or a determination of the street up to and including a lot located on said street.
 3. Referral – Upon the filing of a request and prior to the public hearing said request shall be referred to the Police and Fire Departments and the Department of Public Works for review and comment.
 4. Requirements – The applicant shall show to the satisfaction of the Planning Board that the street has sufficient width, suitable grades and adequate construction to provide access for emergency vehicles as well as safe travel and adequate circulation. The Planning Board may refer to and may utilize existing road standards as outlined in the Town of Truro Rules and Regulations Governing the Subdivision of Land (as amended) and the Town of Truro General Bylaws (as amended).
 5. The Planning Board’s Decision on the determination of adequacy of the street shall be filed with the Town Clerk. Any appeal from that decision must be commenced within sixty (60) days from the date of filing with the Town Clerk under the provisions of Massachusetts General Laws Chapter 249, Section 4.

ARTICLE ___: To see if the Town will vote to amend the Truro Zoning Bylaw by adding a new Definition of “Dwelling, Multi-Family” in Section 10.4 as follows:

“Dwelling, Multi-family. Three or more dwelling units, attached, detached, or a combination thereof on a single lot.”

And further, to amend the Truro Zoning Bylaw Section 30.2 by adding “Multi-family Dwelling”

in the Use Table under Residential Uses and by adding a new NOTES 13, as following:

RESIDENTIAL							
	R	BP	NT6A	TC	NTC	Rt6	S
Multi-family Dwelling (13)	N	SP	SP	N	SP	SP	N

NOTES

13. This use is further subject to the special regulations set forth in §40.3A, Conversion of Cottage or Cabin Colony, Motor Court, Motel or Hotel for Year Round Use and the Zoning Board of Appeals shall serve as the Special Permit granting authority.

And further, to amend the Truro Zoning Bylaw by adding a new Section 40.3A, as follows:

§ 40.3A. Conversion of Cottage or Cabin Colony, Motor Court, Motel or Hotel for Year Round Use

- A. Purpose. The Board of Appeals may grant a special permit for the conversion of a cottage colony, cabin colony, motor court, motel, or hotel to a multi-family dwelling use under any type of ownership, provided that the provisions of this section are met. For those properties which have received a Special Permit pursuant to §40.3 above, a new Special Permit will be required to allow for the year-round use of said property.
- B. Requirements.
 - 1. The converted premises shall comply with applicable provisions of the zoning, building, health and safety codes, as determined by the Building Commissioner and Board of Health and applicable provisions of the Provincetown Water regulations so as to provide for appropriate and adequate year round living.
 - 2. Each converted unit shall comply with the parking requirements for single family dwellings as established in § 30.9, Parking, except that, where pre-existing structures under this section are unable to meet the current parking standards on their existing lots, the parking requirement may be met on a contiguous lot or on a lot directly across the street provided the following conditions are met:
 - a. The two lots must be in and remain in common ownership and not be further divided.
 - b. The two lots shall not be used for the purpose of increasing the size or the use of the pre-existing structure or property.
 - c. Other than parking, pre-existing structures, and septic systems allowed by the Truro Board of Health, the adjacent lot shall remain open space.
 - d. All conditions must be recorded at the Barnstable Registry of Deeds.
 - 3. The density of units permitted on a lot shall be as follows:
 - a. Route 6A, North Truro Limited Business District; North Truro Center General Business District and Rout 6 General Business District: one unit per 3,000 sq.

- ft.
 - b. Beach Point Limited Business District one unit per 2,100 sq. ft.
 - c. Notwithstanding the restrictions of this section, no cottage colony, cabin colony, motor court, motel, or hotel which existed on January 1, 1987 shall be required to reduce its then existing number of units if or when it converts to multi-unit dwelling or non-dwelling use so long as it complies with all other requirements of this bylaw.
4. The granting of a Special Permit hereunder shall be consistent with the provisions of Section 30.8."